


MEMORANDUM

TO: County Council

FROM:  Michael Faden, Senior Legislative Attorney

SUBJECT: **Introduction:** Bill 38-12, Capital Improvements Program – Child Care Assessment

Bill 38-12, Capital Improvements Program – Child Care Assessment, sponsored by Councilmembers Riemer, Floreen, Andrews and Council Vice-President Navarro, is scheduled to be introduced on December 4, 2012. A public hearing is tentatively scheduled for January 22, 2013 at 1:30 p.m.

Bill 38-12 would require the Office of Management and Budget to submit child care facilities impact statements with certain capital projects in the Capital Improvements Program and authorize the Council to require other County departments and agencies to supplement the impact statements furnished by the Office of Management and Budget. The impact statement must analyze the feasibility of including a child care facility in the project.

The demand for good child care facilities exceeds supply in the County. The potential for including child care facilities in each County Capital Improvements Program projects is not routinely assessed. The purpose of the Bill is to ensure that the County takes advantage of all opportunities to include child care facilities in County capital projects.

This packet contains:

Bill 38-12

Legislative Request Report

Circle #

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Bill No. 38-12
Concerning: Capital Improvements
Program –Child Care Assessment
Revised: 11-28-12 Draft No. 1
Introduced: December 4, 2012
Expires: June 4, 2014
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: _____
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmembers Riemer, Floreen, Andrews, and Council Vice-President Navarro

AN ACT to:

- (1) require the Office of Management and Budget to submit child care facilities impact statements with certain capital projects in the Capital Improvements Program;
- (2) authorize the Council to require other County departments and agencies to supplement the impact statements furnished by the Office of Management and Budget; and
- (3) generally amend County law regarding the analysis of capital projects.

By adding

Montgomery County Code
Chapter 27, Human Rights and Civil Liberties
Section 27-62A, Child care facilities impact statements

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Section 27-62A is added as follows:**

2 **27-62A. Child care facilities impact statements.**

3 (a) For each applicable capital project in the Capital Improvements
 4 Program, the Office of Management and Budget must include in or
 5 transmit with the CIP an analysis of:

- 6 (1) the feasibility of including child care facilities in the project; and
 7 (2) what capital or operating budget modifications, if any, would be
 8 needed to include child care facilities in the project.

9 (b) The child care analysis submitted by OMB should discuss at least the
 10 following issues related to the capital project:

- 11 (1) compatibility of child care with the underlying project; and
 12 (2) conformity of child care facilities to applicable zoning and land
 13 use plans.

14 (c) As used in this section, applicable capital project means any building
 15 project administered by the Department of General Services or the
 16 Parking Management Division of the Department of Transportation.

17 (d) In performing its analysis, OMB should consult the Department of
 18 Health and Human Services, the Planning Board, and any other County
 19 department or agency with expertise in child care.

20 (e) The Council may by resolution exempt from this Section a category of
 21 capital projects which by their nature do not require child care analysis.

22 *Approved:*

23 _____
 Roger Berliner, President, County Council

 Date

LEGISLATIVE REQUEST REPORT

Bill 38-12

Capital Improvements Program – Child Care Assessment

DESCRIPTION:	Requires the Office of Management and Budget to submit a child care facilities impact statement with certain capital projects proposed in the County Capital Improvements Program. The impact statement must analyze the feasibility of including a child care facility in the project.
PROBLEM:	The demand for good child care facilities exceeds supply in the County. The potential for including child care facilities in each County Capital Improvements Program projects is not routinely assessed.
GOALS AND OBJECTIVES:	To include more child care facilities in County CIP projects where feasible.
COORDINATION:	Office of Management and Budget, Department of Housing and Community Affairs, Department of Transportation, Planning Board, and the Department of Health and Human Services.
FISCAL IMPACT:	To be requested.
ECONOMIC IMPACT:	To be requested.
EVALUATION:	To be requested.
EXPERIENCE ELSEWHERE:	To be researched.
SOURCE OF INFORMATION:	Michael Faden, Senior Legislative Attorney, 240-777-7905
APPLICATION WITHIN MUNICIPALITIES:	Applies only to County Capital Improvements Program.
PENALTIES:	Not applicable